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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,411	12/03/2001	Franklin Zhigang Zhang		3112

7590 03/06/2008
Franklin ZhiGang Zhang
4717 Spencer Street
Torrance, CA 90503

EXAMINER

ABELSON, RONALD B

ART UNIT	PAPER NUMBER
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2619

MAIL DATE	DELIVERY MODE
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03/06/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/006,411

Applicant(s)

ZHANG, FRANKLIN ZHIGANG

Examiner

RONALD ABELSON

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 28-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

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Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 30-48 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term "client operation function" as recited in independent claims 30 and 36 is not defined in the specification.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

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4. Claims 28 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dowling US (2005/0170824) in view of Sridhar (US 2001/0047421).

Regarding claims 28 and 49, Dowling teaches one server means (fig. 1 box 125) running on Internet (fig. 1 box 122);

a plurality of wireless Access Points (APs) with Internet connection (fig. 1 box 150), providing wireless networking access;

a plurality of Personal Mobile Access Device (PMAD) (fig. 1 box 105, mobile unit 105 may be a hand-held cellular phone or wireless data device, [0026]) with wireless networking capability for getting wireless Internet access via said AP (mobile unit 105 leaves subnetwork, system level handoff assisted by server 125 is needed, [0034]);

the Aps have a dedicated port for Internet connection (fig. 1 connection 113, [0031]).

the APs communicating with the server means via Internet (fig. 1 box 150, 122, 125, link 113, network server sends signals to the mobile unit and the local area wireless access

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point to cause mobile unit and local area wireless access point to initiate communication, [0050]);

said PMAD is personal mobile communication device with user and media interfaces, and wireless networking means to communicate with said Aps (fig. 1 box 105, mobile unit 105 may be a hand-held cellular phone or wireless data device, [0026]);

the PMAD access Internet wirelessly through the AP and communicate with the server means via Internet (fig. 1 box 150, 122, 125, link 113, network server sends signals to the mobile unit and the local area wireless access point, [0050]);

the server means enables the PMADs to join communication over Internet connection with server means (fig. 1 box 150, 122, 125, link 113, network server sends signals to the mobile unit and the local area wireless access point, [0050]);

the PMADs access the Internet wirelessly through the Aps and join the server means for communication (fig. 1 box 150, 122, 125, link 113, network server sends signals to the mobile unit and the local area wireless access point, [0050]), and join the server means for communication among each other of the PMADs (fig. 1 box 105, mobile unit 105 may be a hand-held cellular phone or wireless data device, [0026]). Note, although only one hand-held cellular phone / wireless data device is shown in the

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figure, it is obvious that a plurality exist and they may communicate with each other;

wherein said IBWCS forming virtual communication paths among said PMADs and said server means over the Internet, whereby messages are communicated among said PMADs and server means via said virtual communication paths (virtual private network, [0028], virtual, [0076]).

The PMADs communicating with each other via the server means and the Internet (fig. 1 box 105, mobile unit 105 may be a hand-held cellular phone or wireless data device, [0026]).

Dowling is silent on the server *means* enables and, controls the PMAD to PMAD communication over Internet and a key element in said virtual communication paths said server means guarantees the PMAD to PMAD communication over Internet without message loss by storing and resending communication message to ensure message delivery.

Sridhar, like Dowling teaches TCP (Sridhar: [0079], Dowling: [0052]). Furthermore, Sridhar teaches a server *means* enables and, controls the PMAD to PMAD communication over Internet and a key element in said virtual communication paths

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said server means guarantees the PMAD to PMAD communication over Internet without message loss by storing and resending communication message to ensure message delivery (remote server determines packet is lost, remote server retransmits that packet, [0079]).

Therefore it would have been obvious to one of ordinary skill in the art, to modify the system of Dowling by having the server of Dowling (fig. 1 box 125) retransmit lost packets, as shown by Sridhar. This modification can be performed by adhering to TCP protocol. This modification would benefit the system by guaranteeing communication without packet loss.

Regarding claim 29, one of said PMAD can roam among the wireless access of said APs around Internet and communicate with said server means and other PMADs (Dowling: mobile unit 105 leaves subnetwork, system level handoff assisted by server 125 is needed, [0034]).

Response to Arguments

5. Applicant's arguments filed 1/14/08 have been fully considered but they are not persuasive.

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Regarding the 112 rejection, the term "client operation function" is defined neither in the specification nor the claims.

Regarding the applicant's contention that server 125 only provides initial wireless resource information for the mobile unit to access the wireless network (applicant: pg. 14 last paragraph), the examiner disagrees. Dowling explicitly teaches three methods of communication. The mobile unit is connected to a first antenna 110 which is used to maintain a first network connection 112 [0027], the mobile unit is also optionally coupled to a satellite antenna 140 [0030], and the mobile unit 105 is also optionally coupled to a local area network 145 [0031]).

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this

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action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RONALD ABELSON whose telephone number is (571)272-3165. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan can be reached on (571) 272-7439. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Ronald Abelson
Primary Examiner
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